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Attorneys for Defendants, Santa Maria Police Chief  
Danny Macagni, City of Santa Maria Mayor Laurence  
Lavagnino, Santa Maria Police Officer Joe Lopez and  
Unknown Santa Maria Officer

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

KENNETH RICHARD BARBER,	)	No. CV 08-6273-DDP (MLG)
Plaintiff,	)	
v.	)	<b>[PROPOSED] PROTECTIVE</b>
SANTA MARIA POLICE	)	<b>ORDER</b>
DEPARTMENT, ET AL.	)	
Defendants.	)	

1. Counsel for Defendants, City of Santa Maria Police Chief Danny Macagni and Officer Joe Lopez, agree to the following limited protective order concerning law enforcement documents, and shall disclose to Plaintiff, who is acting in pro per, records containing personnel matters, such documents the police department deems confidential.

2. Plaintiff shall not convey, transfer, publish, distribute, copy, duplicate or disseminate the information so provided except as may be reasonably necessary for the prosecution of this litigation, by communicating with investigators, consultants and experts retained on behalf of the Plaintiff in this matter.

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1           3.     Prior to the dissemination of any such information pursuant to this order,  
2 Plaintiff shall inform such person of the terms and conditions of this order and secure  
3 such person's agreement to be bound by it.

4           4.     Plaintiff, and Plaintiff's investigators, consultants and experts, are  
5 expressly prohibited from utilizing the disclosed information for any purpose other  
6 than the prosecution of *Kenneth Richard Barber v. Santa Maria Police Department,*  
7 *et al. CV 08-6273-DDP (MLG)* and the information disclosed shall not be utilized in  
8 any other proceeding or litigation, or for any other purpose.

9           5.     Plaintiff, and Plaintiff's investigators, consultants and experts, are  
10 expressly prohibited from disclosing orally or otherwise the information subject to this  
11 Protective Order to any person other than those who are reasonably necessary for the  
12 prosecution of *Kenneth Richard Barber v. Santa Maria Police Department, et al. CV*  
13 *08-6273-DDP (MLG)*

14           6.     Plaintiff, and Plaintiff's investigators, consultants and experts, are  
15 expressly prohibited from duplicating, copying or otherwise distributing or  
16 disseminating any of the disclosed information to any person or entity.

17           7.     Counsel for each party, or Plaintiff who is acting in pro per, shall take  
18 reasonable precaution to prevent the unauthorized or inadvertent disclosure of any of  
19 the protected information.

20           8.     In the event anyone shall violate or threaten to violate any terms of this  
21 Protective Order, the aggrieved party may immediately apply to obtain relief to this  
22 court against any such person violating or threatening to violate any of the terms of  
23 this order. This court shall retain jurisdiction over the parties and any other persons  
24 subject to the terms of this order for the purpose of enforcing this order. The court  
25 shall have the power to impose whatever penalties it deems appropriate for the  
26 violation of said order, including, but not limited to, monetary and judicial sanctions,  
27 contempt and terminating sanctions.

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1           9.     At the final conclusion of this action, all disclosed materials will be  
2 returned to the counsel for the Defendants upon written request by Defendant after the  
3 final judgment, including any appeals, if any. If for any reason, Defendant does not  
4 request such documents be returned, it does not terminate the confidential nature of  
5 such documents.

6           10.    This order shall survive the final termination of this action, to the extent  
7 that the information disclosed remains confidential and does not become known to the  
8 public, and the court shall retain jurisdiction to resolve any dispute concerning the use  
9 of the information disclosed herein.

10          11.    The above stated restrictions also apply to Counsel for Co-Defendants,  
11 Officer Duarte, Officer Barroca and Officer Masters.

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13 **IT IS SO ORDERED:**

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15 Dated: January 15, 2010



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Honorable Marc L. Goldman  
United States Magistrate Judge